

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

IN RE:

**THOMAS HARRY LORD,
BOBBIE JEAN LORD,**

DEBTORS.

**Case No. 16-10605-M
Chapter 13**



AGREED ORDER

THIS MATTER comes on before the Court on the Amended Motion for Relief from Automatic Stay and Abandonment of Property filed in this matter by TIKI SERIES III TRUST (“Movant”) (Doc. 56), and Debtors’ response and objection thereto (Doc. 57). The parties have reached an agreement which is outlined below, and which the Court hereby adopts.

The parties stipulate and agree to the following:

1. Movant is the holder of a claim secured by a valid recorded mortgage lien upon the following real property (the “property”):

The E/2 of the SW/4 of the SE/4 of the SE/4 of Section 13,
Township 23 North, Range 23 East, Delaware County, State of
Oklahoma a/k/a 11844 E 380th Rd, Jay, OK 74346.

2. The Debtors are currently delinquent with their post-petition mortgage in the amount of \$6,145.32 good to June 15, 2019, as more fully described below:

Ongoing Monthly Mortgage Payments:	
June 1, 2018 thru May 1, 2019	\$4,938.00
Payment Due June 1, 2019	\$412.97
Bankruptcy Fees/Costs	\$1,031.00
Suspense.....	(\$236.65)
TOTAL:	\$6,145.32

3. The Debtors shall be allowed to cure their post-petition arrearage by modifying their Chapter 13 plan to provide for the above-stated arrearage and to provide for payment in the amounts that may be indicated by subsequently filed Payment Change Notices. Provided that if the Debtors are not successful in obtaining an order modifying plan within 60 days following the date of the Court's entry of this Order, relief may be granted upon Movant filing a Notice of Default and Request for Entry of Order as set forth below.

IT IS THEREFORE ORDERED that the automatic stay pursuant to 11 U.S.C. § 362(a) is hereby conditionally modified as stated above.

IT IS FURTHER ORDERED that, if the Debtors are not successful in obtaining a confirmed amended plan by said 60-day deadline and Movant files the Notice of Default and Request for Entry of Order as set forth below, the above-described real property is also ordered abandoned from the estate pursuant to 11 U.S.C. § 554(b).


IT IS FURTHER ORDERED that the automatic stay pursuant to 11 U.S.C. § 362(a) may be terminated and the real property described above may be ordered abandoned upon the Movant filing a Notice of Default and Request for Entry of Order with the Court, allowing Debtors 10 days from the date of filing to respond, in the event the Debtors fail to comply with the terms outlined above. It is further ordered that in the event of such default, the Movant shall submit with the Notice of Default and Request for Entry of Order an affidavit signed by a non-attorney representative verifying the default.

IT IS FURTHER ORDERED that any Order terminating the automatic stay and abandoning property shall authorize the Chapter 13 Trustee is hereby to cease all payments to the Movant under the plan, and may disburse funds that TIKI SERIES III TRUST would otherwise be entitled to receive to other creditors of the estate.

IT IS SO ORDERED.

DATED this 24th day of June, 2019.

BY THE COURT:



TERRENCE L. MICHAEL
UNITED STATES BANKRUPTCY JUDGE

AGREED AND APPROVED:

s/ J. Ken Gallon

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